



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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DINA LIESER, as mother and natural guardian of
JORDAN LIESER, an infant, and DINA LIESER,
Individually,

03-CV-5197 (CPS)(SMG)

Plaintiffs,

-against-

STUART DANOFF, M.D.

**ORDER DIRECTING
DEPOSIT OF INFANT'S
PROPERTY**

Defendant.
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Upon reading the supporting declaration of plaintiff Dina Lieser, sworn to on the 24th day of October, 2005, and all the papers and proceedings heretofore had herein, and it appearing that the best interests of Jordan Lieser, the infant plaintiff in the above entitled action, demand that the proceeds of the judgment entered on the record by Magistrate Judge Steven Gold on the 14th day of October, 2005, and accepted by plaintiff Dina Lieser and counsel for all parties, be distributed to plaintiff Dina Lieser, as parent and natural guardian of Jordan Lieser, for the sole use and benefit of Jordan Lieser,

Now, upon motion of plaintiff Dina Lieser, for an Order pursuant to CPLR 1206 directing that the proceeds of the aforesaid judgment be deposited in a custodial account in the New York State College Choice Tuition Savings Program ("N.Y. Savings Program"), operating pursuant to Section 529 of the Internal Revenue Code, it is

ORDERED that the sum of Twenty Thousand (\$20,000.00) Dollars, the proceeds of the judgment in favor of Jordan Lieser, entered in the above entitled action on the 14th day of October, 2005, after the deduction of the sum of Ten Thousand (\$10,000.00) Dollars paid for attorneys' fees, costs and expenses in the action, be made payable to

plaintiff "Dina Lieser" who shall deposit the proceeds in a checking account at the HSBC Bank ("HSBC Account") located in Forest Hills, New York 11375, and it is further

ORDERED that within five (5) business days of depositing the sum of Twenty Thousand (\$20,000.00) Dollars in the HSBC Account, plaintiff Dina Lieser shall arrange for the entire sum to be transferred to a custodial account, with plaintiff Dina Lieser as Account Owner and infant-plaintiff Jordan Lieser as Beneficiary, in the N.Y. Savings Program, subject to withdrawal prior to Jordan Lieser reaching the age of majority only upon Order of this Court, and it is further

ORDERED that the N.Y. Savings Program is hereby directed, upon the infant plaintiff's eighteenth birthday and without further Order of this Court to name Jordan Lieser as Account Owner, unless the N.Y. Savings Program is in receipt of an Order from a court of competent jurisdiction directing it to refrain from transferring ownership upon his eighteenth birthday, allowing Jordan Lieser to utilize all the moneys held in the Account in a manner he deems appropriate, and it is further

ORDERED that a certified copy of this Order be delivered to the N.Y. Savings Program upon the deposit of the proceeds.

ENTER


JUDGE STEVEN M. GOLD

10/26/05